IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

GOFF GROUP, INC. et al.,)
Plaintiffs,))
v.))
PHOENIX-DURANGO, LLC, et al.,))
Defendants / Counterclaim Plaintiffs,) CASE NO. 2:06-cv-00389-SRW)
v.)
CAMERON M. HARRIS & CO., INC., et al.,))
Counterclaim Defendants.	<i>)</i>)

ANSWER OF COUNTERCLAIM DEFENDANT CAMERON M. HARRIS & CO., INC.

COMES NOW one of the Counterclaim Defendants, Cameron M. Harris & Co., Inc. ("Cameron Harris"), by and through its undersigned counsel, and for its answer to the Counterclaim filed by Defendant/Counterclaim Plaintiff, Phoenix-Durango, LLC, states as follows:

FIRST DEFENSE

Cameron Harris denies the material allegations of the Counterclaim and demands strict proof thereof.

AFFIRMATIVE DEFENSES

SECOND DEFENSE

The claims alleged in the Counterclaim fail to state a claim against Cameron Harris upon which relief may be granted.

THIRD DEFENSE

Cameron Harris states that if the subject property is judicially foreclosed, then Cameron Harris is entitled to be paid for the amount of its lien on the subject property. Cameron Harris affirmatively states that it holds a lien on the subject property in the amount of \$65,473.30 and is entitled to be paid from any judicial foreclosure and sale thereof.

FOURTH DEFENSE

Cameron Harris has done no wrong.

FIFTH DEFENSE

No action by Cameron Harris was the proximate cause of injury to the Defendant/Counterclaim Plaintiff.

SIXTH DEFENSE

No action by Cameron Harris was the actual cause of injury to Defendant/Counterclaim Plaintiff.

Cameron Harris reserves the right to assert additional defenses as discovery progresses in this case.

Respectfully submitted,

/s/ Janine L. Smith D. Christopher Carson Janine L. Smith

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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of June, 2006, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to all properly registered parties and, to the extent they are not properly registered with the Court's ECF system, they have been served by directing same to their office addresses via first-class, United States mail, postage prepaid:

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> /s/ Janine L. Smith OF COUNSEL

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